IN SENATE, APRIL 4, 1850.

The Senate proceeded to the consideration of the series of resolutions submitted some time since by Mr. Bell, which Mr. Foore had moved to refer to a select committee of

Mr. UNDERWOOD resumed and concluded the remarks commenced yesterday, which will be published hereafter, Mr. CORWIN and Mr. HALE also made explanates statements, which will be published in connexion with Mr

Mr. FOOTE rext obtained the floor, and said: I do not rise to take part in this discussion, my object is, if possible, to get a vote upon the motion to refer the resolutions of the Senator from Tennessee to a committee of thirteen. If, however, any Senator desires to address the Senate upon this subject, I will move to postpone their further consideration until to-morrow, and to make them the special order for twelve or

half pasteleven o'clock on that day.

Mr. BOBLAND. As my colleague desires to address the Senate of this subject, I hope the question will not now be

ken, that he may have an opportunity to do so.

Mr. FOOTE. I have conversed with the Senator's colleague, and I understand that he is willing to be heard on some other measure. However, if he desires to be heard before this question is taken, I am willing to give away to him. I therefore move, sir, that the further consideration of this subject be postponed till to-morrow at one c'clock, and that it be made

the special order for that hour. WEBSTER. Mr. President, I am far from entertaining any wish to prevent the honorable member from Ar-ansas addressing the Senate on this topic but I think it my duty to remind the Senate that we have now gone through the first four months of the session, and although I am willing to admit that the circumstances were such as to excuse or even justify a great deal of delay in the dispatch of the public business, yet, after all, the time seems new to have come at which, with all convenient dispatch, and without encroaching in any degree upon the freedom of debate, we should proceed to some action. Sir, I may be permitted to say that it will require weeks, and perhaps months, and our most deliberate attention and active co-operation in legislation, to do the things and pass the laws which will be necessary, when the question of the admission of California shall be decided one way or the other. I wish, therefore, to say that so far as my opinion and conduct in the Senate go, I shall endeavor to take such a course of voting and acting as may bring this question of the admission of California per se to a decision by the Senate. I am then willing to go on and take up the Territorial question-the question of a Government for the Territories-and I may say upon the whole that I am inclined to think it will

Sir, the honorable member from Kentucky, (Mr. CLAY,) who moved a series of resolutions on these subjects, whom I have now the honor of addressing as the occupant of the chair, will, as a matter of right, if he choses to exercise it at a convenient hour, be entitled to reply to the remarks which have been made upon his propositions. That is a matter of courtesy due to every member of the Senate, and it is especially due to him. There is also an honorable member from Tennessee, (Mr. Bell,) who has brought forward a series of -He, too, is entitled to be heard in reply to objections which have been suggested to his propositions. I do not mean to say that the debate should extend no further, but it is my judgment that it becomes us to consider whether we will discuss one question to-day and another to-morrow, with-

be the best way to proceed to take up the Territorial bills and

act upon them.

out coming to any result upon the great question before us. nds upon me, as I have said, there will be, by no vote of mine, any restraint upon debate at all. None But I think we ought to bring the subjects so as to have a tendency to some point; that, instead of postponing these resolutions, one or the other series, from day to day, and keeping them all open to debate, we ought pretty soon to come to a resolution to take up some measure of a practical character, and debate it till we are ready to act upon it. That is my view. The two precise questions, or the two forms in which the questions are presented, most fit, I think, for prac tical action, are the amendment moved by an honorable member from Missouri (Mr. BENTON) to the resolution of an honorable member from Illinois, (Mr. Douglas,) by way o amendment to that resolution, instructing the Committee on the Territories to bring in a bill for the admission of Californis, unconnected with any other subject; and the bill which, before we had time to come to any resolution upon that point, or to any vote upon that question, has been reported.

Now, it appears to me, sir, with great deference to the judgment of others, that our true course now is to take up the bill reported from the Committee on Territories for the admission of California and debate it. I mean to say that it is our true course, in my opinion, to adopt that procedure, after the honorable member from Kentucky (Mr. CLAY) and the honorable member from Tennessee (Mr. BELL) have had a proper opportunity to reply to the objections which have been urged against their respective propositions. At the same time I wish to say to the honorable member from Mississippi, (Mr. FOOTE, ) that, though I have no objection to come to a vote upon his proposition, vet I cannot conceal from him, and I to conceal from the country, that my opinion is that we have now come to a point upon this general subject which every one is as well informed of as he can be possibly ginning. I am unwilling, I will take occasion to say, if the attention, I am unwilling to leave any of these questions open to be the cau-e of heartburnings and dissension and dissatisfaction through the recess, (if we are to have any recess, which may be much doubted.) I am for acting on Califor nia, and then on the Territorial bills reported to us from the Committee on Territories. I am for taking them up and voting upon them; and if any amendments are made, such as n suggested, I am ready to vote upon any such amendrelieve men's minds from apprehension; nothing that will have such general quietude, as to act as soon as is convenient and proper upon the bill for the admission of California and then upon the bill or bills for the creation of the Territorial Governments in New Mexico and the rest of Territories. and pass a bill such as the majority of the Senate shall an-That is my judgment; and in pursuance of these opinions, and according to these opinions, will be my con-

I wish this body to come to a conclusion upon California; my opinion is made up. I wish this body then to come to a conclusion upon the character of the Territorial bills : I am willing to act upon them on the principles and opinions which I have already avowed; and I do apprehend, sir, an entire concurrence in these opinions by a majority of this body; and my conviction is, that when these bills shall come up, and this body shall come to a decision upon them-upon what may be called the contested part of them—the majority of this body will come to a conclusion exceedingly useful to the country, in extending to it more harmony, quiet, and satisfaction

Sir. I desire-if I may say so-to preserve the credit of this great Republican Government in the estimation of men all over the world. I do not wish to hear it said on the other side of the Atlantic that this great constitutional free Representative Government cannot go on with certainty and dispatch, and without impediment; that it is liable to a great hiatus every now and then; that the great principle of free government is likely, after all, flot to be so satisfactorily exemplified in this g eat Republic as its friends at home and abroad have fondly hoped and predicted. I am desirous that we should take such a course in regard to these exciting questions as will enable. us to dispose of them, and to resume and go through with our ordinary duties of legislation. And I will take occasion to say, sir, that I do not expect to see harmonious legislation upon any of the subjects which touch the great interests of looked with great interest to the action of Congress at this just legislation until these disturbing questions be removed. And, therefore, I wish that the questions that have been brought upon us by the events of the last two or three years, somewhat unexpectedly, shall be settled. I wish them to be settled upon the true principles of the constitution of the United States. I want no new platform. I ask no new concessions, on the one side or on the other : no new compromises ; the constitution is enough; it is broad enough, full enough, efficient enough; and if we can bring ourselves to act with moderation, and temperance, and candor, and magnanimity, and, I will add, with, what is equally important, a fraterna regard and sympathy upon the questions before us, in the spirit of the constitution, we shall be able to rescue the country from its present perils. We who sit here, clothed with this rescue the country from its present embarrassing condition, takely to defeat its ultimate adjustment entirely. I will prothe extreme North, and the extreme South, and from one ocean to the other.

Sir, I beg the indulgence of the Senate for wandering into these general remarks. I had no intention so to do when I rose ; but I must now express my sincere, deliberate conviction, that our true course is to proceed onward, step by step, with the great subjects that have been devolved on us by cent events, by the acquisitions that have been made by this Government of these great Territories, and to take them up and act upon one and all in the spirit which the constitution tof the United States prescribes to us all, enjoins upon us all, as it is our duty to confirm to that spirit in all our legislation. Well, when gentlemen shall have satisfied themselves o these propositions, and when, as I have said, the movers of the propositions shall have had all the opportunity they desire for replying to the remarks that have been made, I shall feel it my duty to bring to the attention of the Senate practical measures, with the view to their being decided upon, one after the other, in the order in which they may have been presented.

forth here, and elsewhere, by the speech of the honorable Senator from Massachusetts, delivered in our hearing a few weeks since, and which was so replete with sound, liberal, patriotic, and statesmanlike views upon the great questions which now occupy so intensely the public mind of the country, I must be permitted to declare the profound regret which I feel at being constrained, by considerations too imperious to be disregarded, to state my dissent to several of the suggestions. tions to which he has this mement given utterance. indeed, is my desire to avoid collision, or even any appearance of collision with the honorable Senator from setts upon any of the points specially discussed by him on this occasion, that I should gladly remain silent but for the fact that one or two of his leading observations are repugnan to convictions of my judgment for some time past entertained; convictions which have been greatly confirmed and corroborated by recent events, and the correctness of which I do not entirely despair of being able to demonstrate, even to the Senator from Massachusetts himself. In most of the general views of the honorable Senator from Massachu setts, I can, without the least insincerity, avow my hearty concurrence. I concur with him also in the remark which fell from him, and which was several times repeated, touch ing the expediency of proceeding, in a regular and orderly manner, in the examination of the several practical propositions which have been submitted to us for the adjustment of the various questions which have so long and so seriously disturbed the public peace, and confused the legislation of Congress. But I beg leave to say to the honorable gentleman that he seems to me either to have seriously misunders ood, or strangely to have misremembered, the events which have been transpiring in the two wings of the Capitol during our present ses-sion, else surely he could not so solemnly have urged us to proceed at once, as a preliminary step, to the settlement of all existing questions of difficulty, and the restoration of fraternal feeling between the Northern and Southern sections of the confederacy, by the admission of California into the Union. He says, that we ought to take up one subject at a time-todispose of it, and then proceed in regular succession to consider and to act upon others; and he says further, that all these measures should be of a practical character; avowing his spinion to be, that the period within which it was politic to give our attention to mere abstract propositions has now passed by. In all this, I agree with the honorable Senator from Massachusetts; indeed, I could with equal truth declare, that I have for some time past entertained these same views, and acted upon them. I have been struggling for weeks past, actively nd earnestly, to call off the attention of the Senate from the abstract questions which have been so fiercely and so te-diously debated here, and to bring about the early adoption of some measure or measures of practical legislation Now, sir, let me ask the honorable Senator from Massa-

chusetts to recur with me for a moment to certain in cidents in our own course of proceeding, important to be considered before we irrevocably determine what shall be the first step in that career of practical legislation now recommended to us. Does the honorable gentleman recollect-if he does not. I will venture to remind him-that the first, yea, I may say the only measure of practical legislation, in the sense in which that word is de signed to be used, introduced in either house of Congress at he present session, was one introduced by myself-a notice of which was given as early as the second or third day after ve assembled here? The bill of which I thus gave notice, and which I afterwards introduced, proposed to give a Territorial Government to California, Deseret, and New Mexico. It was strictly and exclusively a Territorial bill. The California constitution had not then arrived, and those who have since been so vehemently urging the immediate admission of California as a State had not brought forward any formal proposition for that purpose. It would therefore seem that, so far as the actual order of events here can give claim o precedence in the course of our legislative action, the advantage is altogether in favor of the Territorial bill reported from the Committee on Territories, and against the other bill reported with it. The Territorial bill reported from the committee is only the Territorial bill offered by me early in the session, with certain modifications deemed expedient

But there are several other reasons for taking up the Territorial bill first, which the honorable Senator from Massachusetts appears to have overlooked, but the bare mention of which, I am persuaded, must command more or less of his respect. One of these I will now mention: The admission of Caifornia at some period of the present session of Congress, is almost absolutely certain. No one doubts it. It is certain to occur, if Congress shall remain long enough in session. It is therefore quite immaterial, for any really substantial purpose of national legislation, whether this measure shall be adduring the current week, or during the next succeeding week. The defeat of it is impossible; no eloquence can make it too odious for adoption; no logic can be of potency sufficient seriously to obstruct its progress. I might well say that the admission of California might be now safely written down in dvance as part of our future history as a republic. Mr. MASON. With limited boundaries

Mr. FOOTE. With or without modification of boundaries, s may happen. I do not speak now of what ought to occur, still less of what will be my own action in regard to this measure of admission. The time has not yet arrived for the avowal of my own views on this subject, or the declaration of those entertained by my constituents. I have deemed it both tiply the perils which encompass this fair sisterhood of States, in regard to the question of admission. At the proper time I tion of the Confederacy itself. I beseech them to be admonreport of the committee. My opinion is that we had shall not fail to speak out in language which none will misun- ished in time, and instead of unnecessarily rushing upon the better proceed to take up these subjects, beginning at the be- derstand. Well, sir, letus see in what aspect the territorial ques- evils which they are fast approximating, to co-operate with tion is presented to us. Whether territorial governments for New Senate will not consider me as too much trespassing on its Mexico and Deseret will be established at the present session of Congress I hold to be quite uncertain. Whether we shall be able, under the most favorable circumstances which can be imagined to exist, to establish territorial governments without the Wilmot proviso, as so eloquently urged in our hearing a few weeks since by the honorable Senator from Massachusetts, is a question which all must admit to be involved in great doubt. I will not declare, with the honorable Senator from Kentucky, (Mr. UNDERWOOD,) in his admirable rements. And my opinion is, sir, that we can do nothing so marks of to-day, that, in consequence of the late excellent important to the satisfaction of the country; nothing that will speech of the honorable Senatur of Massachusetts, he stands repudiated and condemned by the whole North, including his own constituents. I do not so believe ; I have a confident hope that the honorable Senator from Massachusetts will be ultimately triumphant in the war which he is waging in behalf of the constitution and the Union, against fanaticism, and bigotry, and sectional jealousy. But yet is it true that free-soilism is not yet extinct under the blows of the honorable Senator from Massachusetts and his heroic comrades in arms. In spite of the potent ridicule of the honorable Senator from Massachu setts "the Wilmot" still survives. The monster is indeed seriously crippled under the blows which have been so sturdily dealt upon him, but he is not yet powerless for mischief. The snake is scotched, not killed; it may turn and be itself again Though the supporters of the Wilmot proviso in the North are seriously enfeebled and dispirited; though several signal triumphs have been achieved over these wreiched factionists at the ballot-box, yet still are there large numbers of men in the free States who openly and fiercely maintain the odious principles for which they have heretofore contended. and whose representatives here, in the two houses of Congress, are yet zealous, united, and possessed of more effi ciency for evil than I am pleased to witness. I repeat, sir, that the ultimate establishment of Territorial Governments without the Wilmot provise, is a matter most painfully problematical; indeed, I may say that it is a measure the adop tion of which is in a very great degree dependant upon the liscretion, the forbearance, and the tactical skill which its friends may bring into the field in support of it. It is a measure, therefore, as it appears to me, that should have preredence allowed to it on account of the difficulties with which

t is incumbered, and which may after all, defeat it. But sgain, sir, the Territorial measure is entitled to precedence, because it involves the quiet and safety of the Republic more deeply. We all know that the honorable Senator from Massachusetts has himself solemnly and deliberately the country until this question shall be settled. There are avowed the opinion that the Union itself was put in serigreat questions, highly important questions, for the decision ous danger by the Wilmot proviso and other kindred questions of which the country, North and South, and in the Centre, have cluding slavery from the Territories of the Union by Congressession. For one, I despair of any wise and temperate and sional enactment has done more to embroil the public feeling of the country, and to weaken the ties which bind these conederated States together, than all other causes combined. The admission or non-admission of California is, in this point of view, comparatively insignificant. Delay the act of adnission for a year, or for two years, or more, and the pillars of the Union will still stand as firm and secure as they did when he foundations of the Government were laid. Precedence is due, therefore, to the Territorial measure, by reason of its uperior importance, and the greater dangers attendant upon

our failure to adopt it-But there are other considerations which, if possible, are yet more entitled to consideration. The territorial bil, if adopted first, will neither defeat nor retard the passage of the bill for admitting California; whilst the admission of Califorority for the moment, are, I firmly believe, able to nia before the territorial question is disposed of, is more than se country from its present embarrassing condition, likely to defeat its ultimate adjustment entirely. I will proin the form desired by us, to have passed the Senate, to have reached the House of Representatives, and to have been ap-Suppose, then, in immediate sequence hereto, the California bill to be taken up, does any one imagine that its pas-age would be at all uncertain? Is it probae, in fact, that its passage through both Houses of Congress would be at all obstructed? Why, sir, on the contrary, it is most obvious, that the measure of admission will be greatly scilltated by the precedent adjustment of the territorial question, and its adoption would be productive of less dissatisfacion and acrimonicus feeling in consequence of the previous settlement of that ques ion.

But suppose with the California bill upon your table

pass first, what would be the inevitable consequences. I will state them, with that unreserved frankness which the importance of the occasion demands; and I do accordingly unherita tingly declare that, if the measure of admission be adopted in advance of the settlement of the territorial question, the adperment of that question, at the present a ssion of Congress Mr. FOOTE. Participating as I do in those sentiments will never take place. I warn the Senator from Massachuof grainude, respect, and admiration which have been called setts-whose desire to arrange all the points of present contro-

I do not in the least doubt—that, if he can succeed in the movement in which he is now enlisted, he will find certain gentlemen, here and elsewhere, disposed to decline all further egislation on the subject for the present; they will be seen to throw themselves at once upon the non-action policy of the Administration, and seek to gain a pitiful party triumple at the expense of the best interests of the country. Gentlemen will be heard to cry out, in both houses of Congress, most lustily, that new Mexico and Deseret can do very well

without government for the present, and until they shall re spectively have enough people within their limits to claim dmission into the Union as States. Boes not the honorable Senator know that this course of proceeding is already zeal-ously advocated by certain leading Whig presses in the North? Does he not recollect that this very policy has been openly avowed at this session in both houses of Congress? I shall bring no charge against the President and his constitutional advisers in connexion with this view of the subject. Indeed, I sincerely rejoice to learn that the President has of late avowed his desire that the good work of pacification and settlement shall be consummated, if pos-sible, upon any plan which may be deemed most advisable, whether the one heretotore recommended by him or not. But yet is it true, and I have full proof upon the point in my portfolio, which I may yet produce if it should be called for, that at this very moment there are movements of an official character in public and active progress in New Mexico, set on foot for the avowed purpose of producing a State organization for that Territory, and demanding admittance into the Union in conformity with the example of California. Yes, sir; pass the California bill first, and as a separate measure, and you may rest confidently assured that Territorial Governments for New Mexico and Deseret will be never more talked of by nany of those who would be quite willing to establish them a part of a general scheme of arrangement and compromise.

Sir, it would be quite easy for me to show, by recurring the current debates which are going on elsewhere than here. that it is quite improbable that the proposition of admitting California into the Union will receive the sanction of the two louses of Congress, whatever may be the action here. Le ne refer, by way of illustration, to a manly, learned, and tatesmanlike speech delivered on yesterday, not far from this hall of deliberation, and which has been published this morning in some of the Washington papers. The gentleman who delivered this speech is unknown to me personally; but I know many of his friends, and his name will be sufficient to ommend him to the respect of the honorable Senator from fassachu-etts, who is well known to hold that name in peculiar veneration. The gentleman alluded to is a Whir, an from the State of Kentucky. He is friendly to the admis of California into the Union; no one is more so; and jet, in he speech to which I am referring, he does not hesitate to de his inflexible determination not to vote for this neasure of admission except as part of a general scheme of grange-

nent and compromise.

Let me here say, Mr. President, that I can see very little difference between such a scheme, embracing all the points of dispute in one bill, and several bills covering the same round, and in relation to which, before any one of them shall be finally acted upon, there shall be a distinct under-standing that all are to be allowed to pass in rapid and con-

There are other views of the subject of still more striking haracter which I do not feel at liberty to withheld. Sir, you cannot, thank Heaven! you cannot pass a bill for the admission of California, as a separate and distinct measure, at all. I say you cannot do it; and I speak of wrat I feel nost confidently assured when I make this declaration. You may pass the bill here, sir, though I hope that this is even a little doubtful. You may pass it here, sir, but it will never become a law notwithstanding. It has to be approved in the other wing of this Capitol; it must be sanctioned by both Houses of Congress; and that I hold to be imposable. I do not feel authorized to enter into full explanations upon this very delicate point; but there are legislative expedients—perfectly legitimate in their character—the efficiency of which can be fully relied upon, easy to be re-sorted to, and the modus operandi of which has been recently seen and felt in practical exhibition-by means of which it is possible that a high-spirited, patriotic, and resolute minority can successfully protect itself and the vital interests of the Republic from the usurping violence of an overbearing These expedients, I assure you, will be resorted majority. to, if all ordinary measures of defence fail, and you will find your California bill defeated by a non-action which will be alike fatal to all the other legislative measures of the session. Why, then, I ask of the Senator from Massachusetts, and those with whom he is acting upon the question at present under consideration-why will they insist upon claiming precedence for the measure of Californian admissiwith all these serious consequences staring them in the face? Do they desire to secure the early admission of California? The course which they are now pursuing will inevitably postpone the realization of their wishes, and in all probability defeat them altogether. Do they desire to restore concord and brotherly feeling in our midst? The scheme which they are striving to execute will revive controversial strife, and make pacification utterly hopeless. Do they wish to save and to perpetuate the discreet and decorous to hold myself for the present in reserve and if persisted in to the end, must terminate in the dissoluus in maturing and carrying into speedy execution some just, fraternal, magnanimous scheme of adjustment, which equally save the honor of the North and of the South, and secure to every part of our beloved country the priceless blessings of domestic repose and security, and the perpetual enjoyment of these invaluable civil institutions which the wisd

> of our venerated forefathers have provided for us and our pos-Mr. President, let me ask of the honorable Senator from Massachusetts to specify, if he is able to do so, the mischief or disadvantage which can possibly result from the raising of the committee of thirteen to whom I am desirous to refer this whole subject. Sir, can we not so far trust a committee of our own body, cautiously and deliberately selected by ourselves, as to refer to the distinguished personages of whom it is likely to be composed, all those questions which have so long isturbed the public peace and endangered the welfare of the Nation? Does he not perceive that some good may, by possibility, result from the calm dispassionate interchanges of opinion and sentiment to be expected to take place among the embers of such a committee, and that it is next to impossible that they will recommend any measure or measures capa ble of deing serious detriment to any part of the Republic In fine, does he not see the peculiar advantage which may be expected to be realized from that incorporation of moral influence-that blending and uniting into one cohesive and coefficient mass, all the power of high character, illustrious achievement, and individual popularity, which so numerous a com-mittee of this body would undoubtedly bring into action? I must yet hope that the honorable Senator from Massachusetts

> will unite with us in raising this special committee.
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> Mr. WEBSTER. There is nothing personal the honorable Senator from Mississippi has said to which I take the slightest exception. I must only say that I am quite incredulous to all the predictions of disunion from any thing growing out of the present controversy—quite incredulous. My honorable friend from Mississippi will allow me to remind him that in the prophecies of later times there was a certain Saturday mention The day went over and no pillar of the constitution was shaken-no bond of the Union was severed. The sun rose in the morning, we all enjoyed a very agreeable day, and we all went to bed at night conscious of the integrity of the Gov-

Sir, I hardly understand the member from Mississippi when he undertakes to say that there are persons who will band together. Who will band together?—for what purpose will they band together?

Mr. FOOTE. For party purposes. Mr. WEBSTER. For party purposes; very well. But they will band together, I take it sir, under the forms of the constitution and the laws-on the ayes and noes. And if the ayes are most numerous the measure must prevail, or if the noes are, the measure must fail. I know of no other way th Senators can band together.

Mr. FOOTE. If the Senator will permit me to explain. The banding together of which I spoke, was to sustain the policy of the Administration, so called. As to the other point, suppose the Senator prefers to go on until he closes; will therefore say nothing more at present.

Mr. WEBSTER. I trust that in meeting these questions we shall act according to our constitutional duties, and according to our rights as members of this body. As to this question of California, I do not wish to hasten it, but I wish to take a course that will lead towards its decision. And when the time comes, my word for it, we shall vote as on other questions. We may have some protracted sittings, and many calls for the yeas and navs, but when it is ascertained that there is a majority of the Senate for or against admitting California, I feel no doubt that majority will control. As to the other wing of the Capitol, it is no concern of mine. I mean to do my duty here, and leave it to others to do their duty elsewhere. We of the Senate have this subject now before us-we of the Senate propose to act on this subject ; and we of the Senate, according to the constitution and rules of proceeding and of order, will dispose of it so far as we are concerned, and then we will leave it to the other House to dispose of it according to their sense of duty. They are one set of public servants-they must answer to their masters, and we must to ours. Let us do our duty.

But I do not concur in any notion or assumption that there is to be any thing extraordinary arising out of this businessany thing out of the usual course and mode. Good speeches we shall have, and have had. Perhaps we shall have, as we have had, some rather long speeches, and I make one of them : out, in the end, when our taste for discussion shall have been satisfied, we shall come to the vote. It will be put to us by the Clerk who sits before you, and the ayes and noes wil decide it just as they always have; and no occasion arise for alarm to us or to the country. That is my view.

Mr. FOOTE. It is not necessary for me, upon this occa-

versy, and restore concord and kind feeling to the country, I sion, to make special acknowledgment of the extraordinary intellectual powers of the honorable Senator from Massachu Yet I suppose that I may be allowed to congratulate myself that he has been in this instance not a little forbearing and merciful; and that I do not find that he has said any thing in reply to what I have already said which it is not abundantly asy for me to answer.

And, first, as to the allusion of the honorable Senator

Ano, his, a to a prophecy that he supposes me to have uttered a few weeks since, that he says most signally failed of verification. Now, sir, if the honorable Senator had been present when Now, sir, if the honorable Senator had been present when once in the Senate heretofore explained this matter of prophecy and the circumstances connected with this suggested failure of verification, he would, I am sure, have never thought of indulging his turn for facetiousness as he has been pleased to do.
Why, sir, what were the actual facts? I declared here, on a particular day of our session, that if certain occurrent then menaced should occur in the other wing of this Capitol, I seriously feared that the questions, then as now the subject of zealous controversy among us, would be found to have left our jurisdiction forever. And what did I mean by this Why, simply that if a resolution for the separate admission of California should be forced through the House by certain vioent means threatened to be resorted to, (including, as I understood, the displacement of the Speaker from the chair,) apprehended serious strife as inevitably consequent thereupon very clearly intimating that such a course of proceeding would be, in all probability, recognised as revolutionary in its character, and as such justifying a resort to extreme measures of prevention. Well, this resolution was withdrawn; a bill was substituted in its place, which was put upon its regular passage through the House; the violent measures anticipated not resorted to, and the evil consequences which I predicted as likely to result from their enforcement were not realized. In other words, to the credit of all concerned, kind and healing counsels prevailed, and the country was saved from a colon of energies from which the most direful consequences might have been reasonably anticipated. My prophe is called, was based upon a contingency which did not arise and, therefore, happily for the Republic, its verification was The honorable Senator will, I think, hardly derive any im portant advantage in the controversy which has so ac tally sprung up between us from this humorous rally of his.

I understand the honorable Senator from Massachusetts to say that he does not at all fear the dissolution of the Union upon the questions now pending. Well, sir, I understood him to speak quite differently a few days since. When he made his celebrated speech in this chamber several weeks ago, I thought that he regarded the Union as involved in danger most serious and imminent, and the country has awarded him great credit for interfering as he did, so seasonably and so efficiently for its rescue. I fear that he will somewhat impair his own glory if he shall succeed in proving that, af-ter all, the dangers which he so valiantly combated, were only imaginary. Let me assure him most solemnly that the Union was in great danger when he delivered that speech; Union was in great danger when he delivered that speeca; but that, if his present proposition should be carried out, it will be in still greater danger. The admission of California, per se, as he styles it, would awaken a feeling of chagrin, of irritation, and of flaming indignation throughout the whole South, which, in my judgment, would make all future attempts of adjustment hopeless, and inevitably bring upon us all the evils which it has been the generous ambition of the honorable Senator from Massachusetts to ward off and prevent. I beseech him to pause in his career, if he does not desire, instead by being recognised as the defender and pre-server of the Union, to be regarded as its enemy and its de-

stroyer.

The honorable gentleman says that it is sufficient for the Senate to pay due regard to its own course of proceeding, branch of the National Legislature. With due deference, must suggest to the honorable gentleman that he does not speak constitutionally on this point. In my judgment we should but poorly perform our duty here, if we did not look to all the consequences likely to arise from our acts, either remote or proximate. The two houses of Congress, after all, constitute but one legislative body. We can do nothing in the way of legislation without the aid of the other House : and we are bound, as judicious legislators, so to frame the propositions which we submit to those who perform the law-making functions in connexion with us, though in the other wing of the Capitol, that good, efficient, and satisfactory legislation may result therefrom. We should indeed be most unprofitably employed in devising measures here, and imparting to them the Senatorial sanction, which we are bound to know will

never become a part of the law of the land. As the honorable Senator from Massachusetts has not ve nswered any material part of the argument addressed by me to the Senate in opposition to taking up the measure of ad-mission, as a separate and distinct measure, and anterior to the settlement of the territorial question, I will not detain the Senate with a more extended notice of his remarks.

LAWS OF THE UNITED STATES. PUBLIC ACTS Passed at the First Session Thirty-first Congress.

[Public-No. 2.] AN ACT to carry into effect the convention between the United States and the Emperor of Brazil, of the twentyseventh day of January, one thousand eight hundred and

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senste, shall appoint one commissioner whose duty it shall be to receive, examine, and decide upon all such claims as may be presented to him and provided for by the claims as may be presented to him and provided for by the Convention between the United States and the Emperor of Brazil, concluded at Rio de Janeiro the twenty-seventh day of January, in the year one thousand eight hundred and fortynine, according to the merits of the several cases, and the principles of justice and equity, the law of nations, and the stipulations of the said convention. And there shall also be appointed by the President, by and with the advice and consent of the Senate, a clerk to act under the commissioner in the preference of the during prescribed by this act. And the the performance of the duties prescribed by this act. And the commissioner and clerk shall, before entering on their offices, severally take an oath well and faithfully to perform the duties

Sec. 2. And be it further enacted, That the said commissioner shall be and he is hereby authorized to make all needful rules and regulations, not contravening the laws of the
land, or the provisions of the said convention, or this act, for
carrying the said commission into effect.

Sec. 3. And be it further enacted, That all records, docu-

Sec. 3. And be it further enacted, That all records, documents, or other papers which now are in, or hereafter, during the continuance of this commission, may come into the posses' sion of the Department of State, in relation to the said claimsshall be delivered to the commissioner aforesaid.

Sec. 4. And be it further enacted, That the commissioner to be appointed under this act shall forthwith, after his appointment, attend at the city of Washington, and organize the commission, and proceed to execute the duties hereby confided to him, and shall give notice in one or more newspapers published in the city of Washington, and in such other newspapers published in the city of Washington, and in such other newspapers published elsewhere as he may deem necessary, of his appointment to examine and decide the said claims, and requiring the claimants to produce their claims and evidence; and when the said claims are presented, he shall proceed, with all control of the said claims are presented, he shall proceed, with all conthe said claims are presented, he shall proceed, with all con-venient dispatch, to consider the same and the evidence relating thereto allowing time for the production of additional evidence as he shall consider reasonable and just; and thereafter shall decide the same, and award the ratable proportions of the several claimants in the sums of money and interest to be received under the stipulations of the convention aforesaid; and within one year from the time of the attendance of the said commissioner in the city of Washington, and organizing the commission, he shall complete and terminate the duties of

Sec. . And be it further enacted, That the Secretary of the Treasury shall cause the moneys and interest thereon, pay-able to the United States in pursuance of the said convention, to be duly received from the Imperial Government of Brazil, and transferred to the United States in such manner as he may deem most advantageous and best, and the nett proceeds thereof to be deposited in the Treasury, and the same are hereby appropriated to pay the awards in favor of the claimants herein provided for.

See. 6. And be it further enacted, That, on the termination

Sec. 6. And be it further enacted, I hat, on the termination of the commission, the commissioner shall report to the Secretary of State a list of the awards made by him; a certified copy of which shall be transmitted by the Secretary of State to the Secretary of the Treasury, who shall, from time to time as they may be received, distribute in ratable proportion among the persons in whose favor the awards shall have been made, all sums of money received into the Treasury of the United States in virtue of the said convention and this act, Conted States in virtue of the said convention and this act, according to the proportion which the respective awards beam to the whole amount received, first deducting such sums of money as may be due to the United States from persons in whose favor the awards shall be made. And the Secretary of the Treasury shall cause certificates to be issued, in such form as he shall prescribe, showing the proportion to which each claimant may be entitled of the amount to be received; and on the presentation of the said certificates at the Treasury, as

on the presentation of the said certificates at the Treasury, as the nett proceeds of the sums to be received under the convention and this act may be received, the proportions thereof shall be paid to the legal holders of the said certificates. Sec. 7. And be it further enacted, That the compensation of the commissioner and clerk shall be as follows: To the commissioner at the rate of three thousand dollars per annum, to and to the clerk at the rate of two thousand dollars per annum, to commence from the time of the attendance of the commence from the time of the attendance of the commissioner in the city of Washington and the organizing of the commission, and to be paid out of any money in the Treasury not otherwise appropriated; and the President of the United States shall be and he is hereby authorized to make such provision for the contingent expenses of the commission as he deem proper.

See. 8. And be it further enacted, That so soon as the com-

mission shall be executed and completed, the records, docu-ments, and all other papers relating to the claims in the pos-session of the commissioner or clerk, shall be deposited in the office of Secretary of State.

Sec. 9. And be it further enacted, That this act shall continue in force one year and no longer.

Approved, March 29, 1850. GADSBY'S HOTEL, Corner of Pennsylvania avenue and 3d street, Near Railread Depot, Washington. aug 1-ifu WASHINGTON.

"Liberty and Union, now and forever, one and

SATURDAY, APRIL 6, 1850.

FURTHER VIEWS OF THE PROPOSED CONVEN TION OF THE SOUTH AT NASHVILLE.

Through the Washington correspondence of New York paper (the Tribune) the light afforded by the following extract is shed upon the objects of the Nashville Convention:

"Through a Southern member of Congress I have ascer ained what was anticipated by the action of the contemplated Nashville Convention; and I assert most positively that the leaders of this scheme design proposing amendments to th Constitution as the only alternative to prevent a separation of the States. Those amendments are of that nature as to restore and preserve for the future the equilibrium so much talked of by Mr. Calhoun in his last speech. One was to provide that whenever a Free State was admitted into the Union a Slave State should also come in with it. Another contemplated amendment is, that the Vice President should e taken alternately from a Slave and a Free State. And a third is, that in all legislation touching or affecting the quesion of slavery, such legislation, before it shall become positive enactment, shall be officially approved by the Vice President as well as the President, or, in other words, that a wide distinction should be made on behalf of all legislation tending to perpetuate and propagate slavery, and that its advocates should receive benefits and privileges not extended towards any other species of legislation in the country. These amendments are to be recommended by this Nashville Convention as the ultimatum of those who will have the management and control of its deliberations; and, if not accepted by the Free States, then to favor and advocate disunion."

This statement may be supposed to include the pinion of at least one member of Congress who favors the scheme of a Southern Convention. The proffered alternative proposition (embracing three distinct and substantive changes in the Constitution) being known to be impossible, the sole practicable object of the Convention is, therefore, in one word, according to the above statement. DISTINION.

This object has been avowed, in other ways, having even more the air of genuine revelations of the object of the Conventionists than the foregoing. We need not here repeat the disclosures contion to the People of the South, after which the Resolutions of the Legislature of Virginia were draughted; the expositions in certain Southern newspapers; the published declarations of a few distinguished men in Georgia and Alabama; and the many evidences of affiliation and concert among the instigators of the Convention in every State in which a head of the Hydra has sprung up. These indications are of too recent date not to be familiary remembered by all of our readers; and, taken in connexion with others not before referred to, confess the disorganizing and anarchical purposes of in abstractions, so colored and disguised by false for the Union, against the Disorganizers. pretences, that it is difficult to discover from the ostensible demonstrations what they really are.

subject by some of the graduates in the School of State Rights-who would in the name of that school sanctify as rights the most flagrant of politi cal wrongs, including treason, when committed under assumed authority by the States of the Union severally-we are tempted to place before our readers the following extracts from an article published last week in the Richmond Enquirer; which article, we must premise, is endorsed by the paper from which we copy it as being "from a gentleman not unknown to fame in the last Presidential canvass;" one whose views "tally with those of Governor FLOYD [of Virginia] and merit close attention." The italics, capitals, small capitals, and all, of these extracts, we must further premise, are literally copied as we find them in the original.

Extracts from an article in the Richmond Enquirer.

TO THE PEOPLE OF THE SOUTH. The critical state of our national affairs, and the obstinate determination of the Northern fanatics to persist in their mad career, forces upon us the inquiry as to what the South ought o de, to meet these repeated, outrageous, and daring aggressions upon her constitutional rights—aggressions which aim to destroy her independence and make her a mere tributary to ouild up Northern influence, power, commerce, and wealth, at her expense and degradat

I have reflected seriously, though unpleasantly upon this question, and have to propose a plan to meet the dangers that hreaten us, which, I think, is not only constitutional, but ust in its nature, and will be effectual in its operations. It does not involve a withdrawal from the Union. The constitution guaranties the right and the means to meet all such difficulties arising from palpable violations or infractions of hat instrument WITHIN THE UNION. If this be the case, here is then no need of going out of the Union to redress our wrongs; and these rights and measures must be exercised co-ordinately with the extent and violence of those usurpations and aggressions, and the dangers with which we are thereby

nenaced.

The course I would suggest should be a united one; although a single State could adopt it with equal justice, yet it could not so fully meet and arrest our grievances. It is, then, simply a combined Declaration by the Southern States, that such and such NORTHERN STATES, by their total disregard of the FEDERAL COMPACE, their aggravated infractions of the provisions of that instrument, and their violent aggression upon the constitutional rights of the Southern States, have thereby forfeited all the rights, privi-LEGES, AND RENEFITS DERIVED FROM SAID COMPACT, AND CANNOT, THEREFORE, HE ANT LONGER RECOGNISED AS PAR-

Here is the exercise of a plain constitutional right, because is reserved as such by each State, as one of the fundamental articles of sovereignty, the right to judge for itself of the iolations or infractions of the compact by any one or more o

the parties to it. All know the nature of the Wilmot Proviso. It is to deprive the citizens of the Southern States of those rights, bene fits, and privileges which they equally claim in the Territo-ries as the common property of all the States; the abolition of slavery and the slave trade in the District of Columbia and between the several States-an attempted usurpation and exercise of power by Congress nowhere to be found among the granted powers, and directly conflicting with the constituional rights of the South.

ALL THESE REPEATED OUTRAGES AND INSULTS ARE DAR-ING ATTEMPTS of the Northern States upon the rights of the South, IN OPEN DISREGARD AND CONTEMPT OF THE TERMS OF THE JOINT COMPACT, and their determination, as plainly nanifested, obstinately to continue them, leave the South no other alternative but to adopt such measures or SELF-PRESER-VATION AND DEFENCE as right and justice demand.

That measure, or mode, is already suggested : STAND 1 THE CONSTITUTION ; and the State or States which are de termined to BEFUDIATE AND SET IT AT NAUGHT, DECLARE AND PROCLAIM THEM AS OUT OF THE UNION, AND DEAL WITH THEM ACCORDINGLY.

A Voice from Louisiana.

There can be no need to offer to our readers any argument to show the visionary and impracticable character of the Confederacy of States here pro-

CLINTON, LOUISIANA, MARCH 16.

posed, for the extrusion of obnoxious States without departing themselves from the Union. or releasing themselves from the obligations which each State is under, whilst in the Union, to treat each other State as its equal, endowed with equal rights, and subject to equal duties and responsibilities with itself. In sum and substance, this article is neither more nor less than Nullification redivivus. No reader can resist the conclusion that the author of the above article. and all those who concur in his views, are the inheritors of that doctrine, dead and buried so many years ago that its brief existence is hardly remembered at the present day, unless by the surviving pall-bearers and chief-mourners at its funeral. The whole doctrine of Nullification (including that of peaceable secession) is compressed in a nut-shell, as the reader will perceive, in the fourth short paragraph of the preceding quotation. If the production of such doctrines and such arguments as are comprised in these paragraphs taken together, endorsed by the Virginia organ of the Conventionists, do not remove all doubt from the minds of the Virginians themselves of the real object of the proposed Southern Convention, or Confederacy, they would not believe were one to rise from the dead and proclaim it.

If no other objection had before presented itself to the convocation of the Nashville Convention, the promulgation, by authority, of this new programme, is of itself enough to establish the absurdity and the danger of sending uninstructed Delegates to Nashville, on a mission the more to be distrusted because of its vagueness, and of the concealment practised by its projectors concerning its objects. Of these nothing is definitely known: every thing about them is involved in mystery. Were there not good reason to distrust the intentions of some of those who favor the project, it would of itself be a conclusive objection to it that their intentions are not certainly known.

Our respected contemporary, the Editor of the Richmond Whig, has persuaded himself, we are sorry to see, into the belief that no harm can ensue from the city of Richmond's appointing Delegates to the Nashville Convention, for the reason that, "if they should, when they reach the scene of action, tained in the Address of the Mississippi Conven- find that other objects than the preservation of the Union and the protection of the rights of the South are contemplated, they can withdraw." Certainly they can. But will they? What security have the People of Richmond that they will do so? We very much doubt whether those who can be induced to go there will withdraw from the Convention under any circumstances. But, if they should, what other effect could their withdrawal have but to leave the Disunionists to act out their play without interruption? When (by your assistance, O, Virginians!) the first step towards the establishing a Southern Confederacy is taken, it can never some of the advocates of the Nashville Conven- be retraced. Your State Legislature has already tion. Were these purposes and objects avowed committed the State, beyond retreat, should it take with equal frankness by all who entertain them, the first step, to go as far in "the road to ruin" as there is in the body of the People of the South he that will go farthest. Did the "Whig" ever a loyalty of heart and a justness of perception hear of a Revolution retrograding? Once begun. of their own true interest in all this matter, which those who engage in it have no option but to fight would at once, and with nearly unanimous voice, for their lives, or be hung as traitors. The latter pronounce sentence of reprobation on this Con- fate has indeed already been openly denounced, in rention scheme. But the objects of the Conven- one of the papers of the South, as the lot of any tion are, in some of the States, so smothered up man who dare to stand up, in its neighborhood.

But, were the intentions of the authors of this project such as Angels might avow, and its objects As a sample of the notions entertained on this such as Infinite Perfection might smile upon, still there would be danger in such a Convention, the members of which would be without any other known community of feeling than a purely sectional one. Under the influence of that feeling, there would be much for the friends of the Union to anprehend from its action. Our readers have already been warned by us of the danger of such a Convention being surprised into the adoption of some measure which, until the moment of its being propounded, had never entered into their thoughts. An excited Convention of Delegates is subject to he same influences as an excited populace. It is composed of different materials, to be sure, and would probably comprise a much larger proportion of learning and intelligence than an ordinary popular gathering of equal numbers. But the Nashville Convention could not be expected to be exempt

from the passions and weaknesses of humanity. Should that Convention ever assemble, discontent with the existing Government of the Union will be the motive power of its machinery. Remedies known to the Constitution, and within their reach, its members will have already disdained. "Violent remedies," to use the language of the Virginia oracle, were to be resorted to, and to devise these remedies-perchance to apply themthis Nashville Convention will have assembled. In whatever manner it may be effected-by a dissolution of the Union in form, or by an equivalent violation of its objects-essential change in the Government of the Union is the only thing that can meet the requirements of such of those malcontents as have frankly avowed their purposes. What is to prevent the Delegate, who has a new form of government ready prepared, from starting up and putting it to the vote of the gathered Delegates, even before their having adopted any forms of proceeding? Revolutions in government are not accomplished by elaborate reports of committees, or by the passage of ordinances through their first, second, and third readings, with intervening hour speeches by each member of the Convention. No, no; revolution is by its nature an irregular and sudden movement, and is quite as often the result of accident or surprise as of reflection, deliberation, and combination.

An incident of quite recent history, in the old world, most forcibly illustrates the nature of Revolutions, sprung suddenly upon popular assemblies, and instantaneously effected through the instrumentality of panic fear and dumb surprise. We refer of course to the French Revolution of February, 1848. Of this incident a graphic account is given by LAMARTINE, one of the principal actors in the scene, in his Memoir, entitled Trois mois au pouvoir, (Three months in power,) addressed to his late constituents upon the occasion of his retirement from his position in the Provisional Government; which we have had translated as a practical lesson to theoretical Revolutionists; and an instructive chapter for all readers. To the charge of ambition (in reference to his share in the Revolution) M: LAMAR-TIME replies, in his own eloquent French, feebly rendered in our own tongue, as follows:

" The Revolution of February surprised me, as it did every body. The Republican system, a